

Practitioner's Docket No. NEB-163-PUS



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ming-qun Xu, et al.

Application No.: 09/936,588

Group No.: 1636

Filed: 03/29/2002

Examiner: McKelvey, T.

For: Method for Generating Split, Non-Transferable Genes that are Able to Express an Active Protein Product

Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already asserted in the application.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

X with sufficient postage as first class mail.

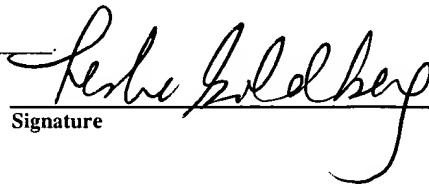
37 C.F.R. § 1.10*

G as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____


Signature

Date: March 25, 2004

Leslie Goldberg

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Fee: \$475.00

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	22	—	40	= 0 x \$	9.00	= \$	0.00
INDEP.	1	—	5	= 0 x \$	43.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$	0.00	= \$	0.00
				TOTAL			
				ADDIT. FEE		\$	0.00

No additional fee for claims is required.

FEE PAYMENT

5. Attached is a check in the sum of \$475.00.

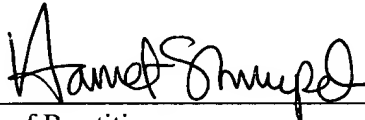
FEE DEFICIENCY

6. An additional extension and/or fee is required, charge Account No. 14-0740.

An additional fee for claims is required, charge Account No. 14-0740.

Date: March 25, 2004

Reg. No.: 37,008
Tel. No.: 978-927-5054
Customer No.: 28986


Signature of Practitioner
Harriet M. Strimpel, D. Phil.
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Docket: NEB-163-PUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Xu et al. EXAMINER: McKelvey, Alan
SERIAL NO.: 09/936,588 GROUP: 1636

FILED: March 29, 2002

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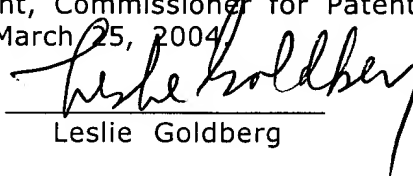
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03/30/2004 HLE333 00000062 09936588

01 FC:2253

475.00 OP


Leslie Goldberg

Sir:

AMENDMENT

Claims 1-25 are pending. The following is a response to office action dated September 30, 2003. Please cancel pending claims 1-25 and add new claims 33-54. Amendments to the claims and specification of the Application begin on pages 3 and 8, respectively,

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of the response. The Remarks section begins on page 9 of the response. The Summary section begins on page 11 of the response.